



311 N. Aberdeen Street
Chicago, Illinois 60607
(312) 243-5900
www.loevy.com

April 29, 2025

Via CM/ECF

United States District Court
Southern District of New York
Honorable Judge Denise Cote
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1910
New York, NY 10007-1312

RE: *De Leon v. DraftKings, Inc.*, Case No. 25-cv-644: Letter Regarding Basis for Alleging Diversity of Citizenship pursuant to 28 U.S.C. § 1332

Dear Judge Cote:

I write on behalf of Plaintiffs pursuant to Rule 5(B) of the Court's Individual Rules of Practice in Civil Cases. The two named Plaintiffs in this case are both residents of New York. Ms. De Leon lives in Manhattan and Mr. Mirsberger lives in Long Island City. *See* Dkt. 1 at ¶¶ 34, 37. Undersigned counsel confirmed with Plaintiffs prior to filing that these allegations regarding domicile were accurate.

Defendant DraftKings, Inc. is a Nevada corporation whose principal place of business is Boston, Massachusetts and Defendant Crown NY Gaming is a Delaware corporation whose principle place of business is Boston, Massachusetts. *See* Dkt. 33 (Defendants' Corporate Disclosure Statement); DraftKings.com, *Who We Are*, (last accessed April 29, 2025) (available at <https://www.draftkings.com/who-we-are-about>).

Accordingly, there is diversity between the parties that satisfies 28 U.S.C. § 1332(d). Additionally, given the prevalence of Defendants' product in New York and the promotions and practices at issue in this case, the amount in controversy exceeds \$5,000,000. Dkt. 1 at ¶¶ 1, 31, 178, 127.

RESPECTFULLY SUBMITTED,

s/ Isaac Green

One of counsel for Plaintiffs



April 29, 2025

Page 2 of 2

Anand Swaminathan
Michael Kanovitz (*pro hoc vice*)
Jon Loevy (*pro hoc vice*)
Isaac Green (*pro hoc vice*)
Aaron Tucek (*pro hoc vice*)

LOEVY & LOEVY
311 N Aberdeen Street, Suite 3
Chicago, IL 60607
(312) 243-5900
green@loevy.com

cc: All parties via CM/ECF

